

**MINUTES OF THE
HOUSE BUSINESS AND LABOR STANDING COMMITTEE**

Thursday , February 1, 2018 • 4:00 p.m. • 445 State Capitol

Members Present:

Rep. James A. Dunnigan, Chair
Rep. Marc K. Roberts, Vice Chair
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Timothy D. Hawkes
Rep. Michael K. McKell
Rep. Jeremy A. Peterson
Rep. Val K. Potter
Rep. Mike Schultz

Rep. Jon E. Stanard
Rep. R. Curt Webb
Rep. Mark A. Wheatley
Rep. Brad R. Wilson

Members Absent:

Rep. John Knotwell

Staff Present:

Mr. Adam J. Sweet, Policy Analyst
Ms. An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Acting Chair Roberts called the meeting to order at 4:07 p.m.

1 . S.B. 39 Business Entity Amendments (*Bramble, C.*)

Sen. Curtis S. Bramble explained the bill to the committee.

MOTION: Rep. Hawkes moved to pass S.B. 39 out favorably. The motion passed with a vote of 9 - 0 - 5 .

Yeas-9

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. M. McKell
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. M. Wheatley
Rep. B. Wilson

Nays-0

Absent-5

Rep. T. Hawkes
Rep. J. Knotwell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb

2 . 1st Sub. S.B. 68 Physician Assistant Vital Statistics Act Amendments (*Bramble, C.*)

Sen. Curtis S. Bramble explained the bill to the committee.

MOTION: Rep. Froerer moved to pass 1st Substitute S.B. 68 out favorably. The motion passed with a vote of 9 - 0 - 5 .

Yeas-9

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. V. Potter
Rep. M. Roberts

Nays-0

Absent-5

Rep. J. Knotwell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

Rep. J. Stanard
Rep. M. Wheatley

MOTION: Rep. Dunnigan moved to approve the minutes from the January 30, 2018, meeting. The motion passed with a vote of 9 - 0 - 5 .

Yeas-9

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. M. Wheatley

Nays-0

Absent-5

Rep. J. Knotwell
Rep. J. Peterson
Rep. M. Schultz
Rep. R. Webb
Rep. B. Wilson

3 . H.B. 243 Division of Real Estate Amendments (Froerer, G.)

Rep. Froerer presented the bill with the assistance of Mr. Jonathan Stewart, Director, Division of Real Estate.

MOTION: Rep. Froerer moved to adopt Amendment 2. The motion passed with a vote of 10 - 0 - 4 .

Amendment 2

H.B. 243

1 Page 11, Lines 329 through 334

329 (4) A failure to respond to a request by the division in an investigation authorized
330 under this chapter within 10 days after the day on which the {~~order~~} request is served is considered as a
331 separate violation of this chapter, including:
332 (a) failing to respond to a subpoena;
333 (b) withholding evidence; or
334 (c) failing to produce a record.

2 Page 26, Lines 794 through 799

794 (c) A failure to respond to a request by the division in an investigation under this
795 chapter within 10 days after the day on which the {~~order~~} request is served is considered to be a separate
796 violation of this chapter, including:
797 (i) failing to respond to a subpoena;
798 (ii) withholding evidence; or
799 (iii) failing to produce a document or record.

3 Page 33, Lines 990 through 994

- 990 (20) failing to respond to a request by the division in an investigation authorized under
991 this chapter within 10 days after the day on which the {~~order~~} request is served, including:
992 (a) failing to respond to a subpoena;
993 (b) withholding evidence; or
994 (c) failing to produce documents or records;

4 Page 39, Lines 1199 through 1204

- 1199 (c) A failure to respond to a request by the division in an investigation authorized
1200 under this chapter within 10 days after the day on which the {~~order~~} request is served is considered to be
1201 a separate violation of this chapter, including:
1202 (i) failing to respond to a subpoena as a witness;
1203 (ii) withholding evidence; or
1204 (iii) failing to produce a book, paper, contract, document, information, or record.

Yeas-10

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Knotwell
Rep. J. Peterson
Rep. M. Schultz
Rep. B. Wilson

Ms. Lori Fleming, Utah Association of Realtors, spoke in favor of the bill.

MOTION: Rep. Peterson moved to pass H.B. 243 out favorably as amended. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

MOTION: Rep. McKell moved to place H.B. 243 on the Consent Calendar. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

4 . S.B. 63 Charity Registration Amendments (*Hemmert, D.*)

Sen. Daniel Hemmert presented the bill with the assistance of Mr. Daniel O'Bannon, Director, Division of Consumer Protection.

MOTION: Rep. Stanard moved to adopt Amendment 2. The motion passed with a vote of 11 - 0 - 3 .
Amendment 2
S.B. 63

1 Page 4, Line 119 through Page 5, Line 121

119 (b) "Professional fund raiser" does not include:

120 (i) an individual acting in the individual's capacity as a bona fide officer, director, volunteer, or full-time
employee of a charitable
121 organization[.];

2 Page 5, Lines 139 through 141

139 (b) "Professional fund raising counsel or consultant" does not include:

140 (i) an individual acting in the individual's capacity as a bona fide officer, director, volunteer, or full-time
employee of a charitable
141 organization;

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. Dunnigan moved Amendment 3, striking out \$10,000 and inserting \$5,000 on lines 394 and 403. The motion passed with a vote of 10 - 1 - 3 .

Amendment 3

S.B. 63

1 Page 13, Lines 394 through 395

394 Subsection 13-22-8(1)(c), collects proceeds in excess of {~~\$~~→ ~~[\$1,000]~~ { ~~\$10,000~~ } ← ~~\$~~ } \$5,000 , the organizer

394a of the campaign

395 shall give the division written notice of the following:

2 Page 14, Line 403

403 collecting in excess of {~~\$~~→ ~~[\$1,000]~~ { ~~\$10,000~~ } ← ~~\$~~ } \$5,000 , whichever is later.

Yeas-10

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

Nays-1

Rep. M. Roberts

Absent-3

Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. Stanard moved to pass S.B. 63 out favorably as amended. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

5 . H.B. 229 Surviving Spouse Insurance Death Benefit Amendments (Perry, L.)

Rep. Lee B. Perry presented the bill with the assistance of Ms. Shante Johnson, Widows of Fallen Officers, and Rep. Paul Ray.

MOTION: Rep. Dunnigan moved to amend H.B. 229 with Amendment 1. The motion passed with a vote of 12 - 0 - 2 .

Amendment 1
H.B. 229

1 Page 1, Line 17

17 coverage paid for by the state only until the surviving spouse remarries {~~·~~} ; **and**
· provides that a surviving spouse of a covered individual who is employed by the state and has a line-of
duty death is eligible for group health coverage paid for by the state as long as the surviving spouse continues
coverage with the program.

2 Page 2, Lines 52 through 54

52 (b) group health coverage paid for by the state that covers the covered individual's:
53 (i) surviving spouse until [~~remarriage or~~] becoming eligible for Medicare[~~, whichever~~
54 comes first] **as long as the surviving spouse continues coverage with the program** ; and

3 Page 3, Line 62

62 This bill has retrospective operation beginning on January 1, {~~2017~~} **2018**.

Yeas-12

Rep. S. Duckworth
Rep. J. Dunnigan

Nays-0

Absent-2

Rep. J. Knotwell
Rep. M. Schultz

House Business and Labor Standing Committee

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Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
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Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley
Rep. B. Wilson

MOTION: Rep. Peterson moved to pass H.B. 229 out favorably. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley
Rep. B. Wilson

Nays-0

Absent-2

Rep. J. Knotwell
Rep. M. Schultz

MOTION: Rep. Wilson moved to adjourn. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. J. Stanard
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-2

Rep. J. Knotwell
Rep. M. Schultz

Rep. B. Wilson

Acting Chair Roberts adjourned the meeting at 4:44 p.m.